

## **APPENDIX D**

### **High Level Consultative Commission 1996 and 1998 Communiques and Work Plans for Mexico**

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May 3, 1996

JOINT PRESS RELEASE

U.S. DEPARTMENT OF STATE  
U.S. DEPARTMENT OF COMMERCE  
FEDERAL COMMUNICATIONS COMMISSION

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**UNITED STATES-MEXICO  
HIGH LEVEL CONSULTATIVE COMMISSION ON TELECOMMUNICATIONS  
MORELIA, MEXICO APRIL 25-26, 1996**

Last Friday the United States and Mexico concluded a very successful fifth meeting of the High Level Consultative Commission on Telecommunications in Morelia, Mexico. The meeting concluded with the signing of a communique, two protocols and work program for next year. Two days after the signing ceremony, negotiations were completed and the U.S. Ambassador to the United Mexican States, James R. Jones, signed an Agreement Concerning the Transmission and Reception of Signals from Satellites for the Provision of Satellite Services to Users in the U.S. and Mexico which promises important opportunities for U.S. businesses, consumers and programmers.

One of the protocols that was signed at Morelia concerned the use along the U.S./Mexico border of fifteen frequency bands allocated to the aeronautical radionavigation and aeronautical communications services. This protocol will allow the FAA to coordinate the use of frequencies in these bands, that are critical to the safety of commercial air traffic, with its counterpart (SENEAM) in Mexico. The other protocol that was signed concerned the use of selected frequency bands above 900 MHz by fixed point-to-point services.

The United States was represented at the meeting by Vonya B. McCann, United States Coordinator for International Communications and Information Policy, Department of State, Larry Irving, Assistant Secretary of Commerce for Communications and Information, National Telecommunications and Information Administration, and Don Gips, Deputy Chief of the International Bureau of the Federal Communications Commission. Undersecretary of Communications and Technological Development, Lic. Carlos Casasus Lopez Hermosa, represented the Government of Mexico.

At the Morelia meeting, the U.S. and Mexico governments discussed technical, regulatory and international communications and information policy issues. Issues that were discussed included the ITU Policy Forum, the Western Hemisphere Senior Telecommunications

Officials Meeting, and structural changes taking place in international telecommunications organizations. The U.S. and Mexico also discussed new technology and communication services being introduced and the necessity to work together to implement them in a compatible manner. The results of these discussions were reflected in a Work Program adopted for 1996-1997 which will follow through on the discussions that took place at Morelia.

Further information is contained in the "Morelia Communique", attached to this release.

For additional information or copies\* of the documents mentioned, please contact:

Department of State: William H. Jahn, at (202) 647-2123

Department of Commerce: Nancy Eskenazi, at (202) 482-1864

Federal Communications Commission: Thomas Walsh at (202) 418-2118.

\*Copies of the Morelia Communique, the US/Mexico Work Program, the Satellite Agreement and Protocols have also been placed on file at the FCC International Bureau Reference Room located on the first floor of 2000 M Street, N.W.

**Fifth Meeting of the United States - Mexico  
High Level Consultative Commission on Telecommunications**

**Morelia, Michoacan. 25-26 April 1996**

**Morelia Communique**

The United States - Mexico High Level Consultative Commission on Telecommunications (HLCC) concluded, on this day, its Fifth Meeting in Morelia, Michoacan.

Issues of great importance to both countries concerning telecommunications were addressed at the meeting, highlighting the fact that these meetings have moved the relations of the two countries closer, both on the bilateral level and within the international context -- and in the latter sense, coordination of both countries' work in the International Telecommunication Union (ITU) and Inter-American Telecommunication Commission (CITEL) fora was effected.

The Mexican delegation was led by Mr. Carlos Casasus López-Hermosa Subsecretario de Comunicaciones y Desarrollo Tecnológico, with the participation of Messrs. Jose Antonio Padilla Longoria, Coordinador de Relaciones Internacionales; Luis Miguel Alvarez Alonso, Director General de Redes y Radio-comunicacion; Enrique Melrose Aguilar, Director General de Administracion del Espectro; and Federico Gonzalez Luna Bueno, Director General de Sistemas de Difusion, all of them from the Secretariat of Communications and Transport.

The United States Delegation was headed by Ambassador Vonya B. McCann, U.S. Coordinator, International Communications and Information Policy of the Department of State; also participating were Mr. Larry Irving, Assistant Secretary for Communications and Information of the Department of Commerce, and representing Chairman Reed Hundt of the Federal Communications Commission was Mr. Don Gips, Deputy Chief of the International Bureau.

The results achieved pursuant to the 1984 - 1995 Work Program were reviewed at this meeting. In this regard, the results obtained were very satisfactory and were reflected in the signing of the four operative agreements, referred to as Protocols, that are annexed to the Framework Agreement signed at the Fourth Meeting of the HLCC in Williamsburg, Virginia. These results

will be reported to the thirteenth meeting of the United States Mexico Binational Commission that will meet in Mexico City in May.

The work carried out pursuant to the Work Program established at the Fourth Meeting led to the signing of the following documents:

- Protocol on the Use of the 1850-1990 MHz Band for Personal Communications Services Along the Common Border;
- Protocol on the Use of the 901-902 MHz, 931-932 MHz, 940-941 MHz Bands, for Personal Communications Services Along the Common Border;
- Protocol on the Use of Channels in the 932.5 - 935 MHz and 941.5 - 944 MHz Bands for Fixed Point-to-Point Services Along the Common Border; and,
- Protocol on the Use of Bands Allocated to the Aeronautical Radionavigation Service and Aeronautical Communications Services Along the Common Border.

During the meeting, both countries exchanged views on important telecommunications issues including, among others, broadcasting, radiocommunications, and spectrum planning.

At the same time, both Delegations agreed to a telecommunications Work Program for 1996 - 1997, that is attached to this Communique and includes the basic issues related to satellites, broadcasting, radiocommunications, training, and international matters. The Delegations agreed that the Working Groups will continue to examine the key telecommunications issues that require cooperation and specific agreements.

It is important to point out that the work of the HLCC in 1996 - 1997 will take place during a period of great development in the telecommunications sector, within an environment of new telecommunications laws in both countries.

Additionally, it was recognized that the technological developments that are taking place on a global level in the field of telecommunications, such as low earth orbit satellite systems, personal communications systems, direct-to-home television, advanced television, and more, will require greater consideration by this HLCC. These issues will be the subject of future HLCC discussions.

sions.

Both Administrations reaffirmed their desire to continue working in a coordinated manner at CITEL and the ITU. In particular, both countries agreed to intensify efforts to reach a successful Conclusion to the World Telecommunication Policy Forum in October.

Finally, the Delegation of the United States agreed to host the next meeting of the HLCC.

Signed at Morelia, Michoacan, on April 26, 1996.

Vonya B. McCann

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Ambassador  
**VONYA B. McCANN**  
United States Coordinator,  
International Communications and  
Information Policy,  
United States Department of State

C. Casasus

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Licenciado  
**CARLOS CASASUS LOPEZ-HERMOSA**  
Subsecretario de Comunicaciones y  
Desarrollo Tecnoloaico  
Secretaria de Comunicaciones y  
Transportes.

**UNITED STATES AND MEXICO  
HIGH LEVEL CONSULTATIVE COMMISSION  
ON TELECOMMUNICATIONS**

**WORK PROGRAM FOR 1996-1997**

**1. TELECOMMUNICATIONS COORDINATION**

**A. SATELLITES**

- 1) Continue development and implementation of procedures to facilitate the coordination of earth stations in the 2, 6, and 74 GHz bands in accordance with No. 1107 of the International Telecommunication Union Radio Regulations.
- 2) Continue discussions and work toward the conclusion of a protocol permitting the use and operation of mobile earth terminals using satellites of either country.
- 3) Conclude negotiations in order to sign a protocol for the provision of Direct-to-Home and Broadcasting-Satellite services using satellites of either country.
- 4) Facilitate the coordination in accordance with the International Telecommunication Union Radio Regulations of:
  - a) The Fixed Satellite Service Systems of both countries implemented in accordance with the Trilateral Arrangement on Orbital Positions;
  - b) Systems for Mobile Satellite Services at 1.5/1.6 GHz of both countries;
  - c) Low Earth Orbit Satellite Systems in bands around 137/148 MHz and, as appropriate, 1610/2483 MHz, with the intent to conclude agreements; and
  - d) Digital Audio Broadcasting Satellite Systems at 1.5 GHz and 2.3 GHz with the intention of reaching agreements.
- 5) In accordance with Article XIV-D of the INTELSAT Agreement, the two countries will enter into joint consultation, as appropriate, on their proposed respective satellite systems;
- 6) Continue to exchange information on the regulation of Satellite News Gathering (SNG) transportable earth stations and conclude negotiations in order to sign a protocol for SNG cross border operation between the two countries on a temporary basis;
- 7) Continue discussions to review positions on INTELSAT and INMARSAT issues, including their organizational structures and the use of separate satellite systems;

## **B. BROADCASTING**

- 1) General - Continue efforts to resolve cases of harmful interference with a goal of eliminating harmful interference.
- 2) AM Radio
  - a) Continue verification of databases of AM stations in the band 535 -1605 kHz.
  - b) Exchange views on initiatives to improve the quality of the AM broadcasting service
  - c) Exchange information on the introduction of the AM expansion band (1605 -1705 kHz) in both countries.
- 3) FM Radio - Evaluate results of full implementation of the FM agreement.
- 4) Television
  - a) Continue to exchange information relevant to the introduction of Advanced/Digital Television in both countries.
  - b) Review and discuss the agreements in force concerning television in the VHF and UHF bands in order to determine changes in the technical criteria to provide for fuller use of the bands including accommodation of: (i) stations operating at low power on a non-interference basis, and (ii) the introduction of Advanced/Digital television.
- 5) Exchange information and discuss the introduction of Terrestrial and Satellite Digital Audio Broadcasting, for the purpose of establishing the basis for the signing of a Memorandum of Understanding enabling both Administrations to develop their services; and
- 6) Exchange information relating to technical standards and regulations with regard to competitive alternatives to conventional broadcasting including cable television, direct broadcasting satellite, and digital audio broadcasting.

## **C. RADIOCOMMUNICATIONS**

- 1) Analyze alternatives for providing cross-border traffic.
- 2) Establish a regularized exchange of information on spectrum planning developments in each country in order to identify situations where joint initiatives of introducing new technologies may benefit both countries.
- 3) Exchange information and explore how to address the use of non-licensed



devices/systems including those using spread spectrum modulation techniques and considering cross-border telecommunications applications.

- 4) Continue discussions aimed at establishing one or more protocols on the coordinated use of the following bands, recognizing the different service types in each country (e.g., private radiotelephony, and mobile uses) and, where applicable, the introduction of reduced channel spacing to enhance capacity:
  - \* 138-144 MHz
  - \* 148-150 MHz
  - \* 150-162 MHz
  - \* 162-174 MHz
  - \* 380-400 MHz
  - \* 406.1-420 MHz
  - \* 450-470 MHz
  - \* 470-512 MHz
- 5) Review the progress regarding the implementation of PCS services in the 1850-1990 MHz band including a) cross border PCS operations, and b) the interaction with and/or relocation of resident fixed point to point operations in the band, with a view toward finding measures both Administrations can take to facilitate the rapid establishment of a homogeneous PCS infrastructure.
- 6) Continue the exchange of information and begin discussions on modem communications systems for land transportation (for example, "Intelligent Vehicle Highway Systems").
- 7) Continue negotiations on the use of the bands 929-930 MHz and 931-932 MHz for Paging services along the common border with a view to concluding a protocol as soon as possible.
- 8) Exchange information relative to the introduction of Local Multipoint Distribution Services in each Country within the bands 27.5 - 29.5 GHz.
- 9) Exchange information relative to the introduction of new services and applications using frequency bands above 30 GHz.

## **II. EXCHANGE OF INFORMATION BY ELECTRONIC MEANS**

- 1) Continue the development of a common procedure for the electronic exchange of data between Mexico and the USA on a regular basis in support of agreements and protocols on coordination.
- 2) Begin to discuss and coordinate efforts to increase mutual access to

information on telecommunications regulatory and policy matters through electronic networks such as the INTERNET.

### **III. TELECOMMUNICATIONS TRAINING**

Formalize a program of technical co-operation and training, subject to funding limitations, orienting it to topics of common interest in the area of telecommunications and information technologies through activities such as: telecommunication postgraduate studies; information exchange programs on topics of interest to both parties; and development of engineering projects.

### **IV. INTERNATIONAL AFFAIRS**

#### **A. INTERNATIONAL TELECOMMUNICATION UNION ACTIVITIES**

- 1) Coordinate preparations for and participation in the 1998 Plenipotentiary Conference, including possibly using bilateral or hemispheric fora for such effort;
- 2) Coordinate preparations and participation in the 1997 World Radiocommunication Conference;
- 3) Coordinate preparations and follow-up for the World Policy Forum.

#### **B. CITEL, APEC and OECD**

- 1) Coordinate preparations for and participation in CITEL, APEC and OECD meetings,
- 2) Discuss and coordinate efforts to encourage CITEL (in particular COMICITEL) and APEC to work on issues dealing with fostering liberalization and competition in telecommunications markets in the Americas and in the Asia-Pacific region,
- 3) Begin to coordinate preparations and participation in the next CITEL General Assembly.

#### **C. SUMMIT OF THE AMERICAS**

- 1) Exchange views and coordinate efforts with regard to hemispheric implementation of telecommunications-related provisions of the Summit of the Americas Plan of Action;
- 2) Coordinate preparations for and participation in the 1996 Senior Telecommunications Officials Meeting. Work to encourage high-level participation in the 1996 Senior Telecommunications Officials Meeting.

**D. PARTICIPATION IN WTO**

Continue to coordinate participation in meetings of the WTO with respect to telecommunications matters.

**V. MIXED COMMISSION**

Consider which decisions, among those adopted by the Commission, need to be formalized between both countries.

**VI. EXCHANGE OF INFORMATION ON REGULATORY AND OTHER  
TELECOMMUNICATIONS ISSUES**

**A. ACCOUNTING RATES**

Continue discussions and exchange of information and cooperation with regard to accounting rates and accounting rate policies including alternatives to accounting rates in an increasingly competitive telecommunications markets.

**B. COMPETITION AND INTERCONNECTION POLICIES**

Continue discussions, exchange of information and cooperation on regulatory and interconnection policies to foster more competition in telecommunications markets.

**C. UNIVERSAL SERVICE AND RATE REBALANCING**

Continue discussions, exchange of information and cooperation on policies that foster universal service and rate rebalancing in increasingly competitive telecommunications markets.

**D. GLOBAL INFORMATION INFRASTRUCTURE**

Continue discussions on bilateral cooperation in developing the Global Information Infrastructure. Discuss applications of telecommunications to education, health, the environment and interconnection of libraries.

**E. OTHER EXCHANGES**

Continue to exchange information on other legislative, regulatory, and policy issues in telecommunications, trends in technology, licensing, and operational aspects of communications services, including experimental authorizations and new services.

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Ambassador  
VONYA B. McCANN  
United States Coordinator  
International Communications  
and Information Policy,  
United States Department of State

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Licenciado  
CARLOS CASASUS LOPEZ HERMOSA  
Subsecretario de Comunicaciones y  
Desarrollo Tecnológico,  
Secretaria de Comunicaciones y  
Transportes

**UNITED STATES AND MEXICO  
HIGH LEVEL CONSULTATIVE COMMISSION  
ON TELECOMMUNICATIONS**

**WORK PROGRAM FOR 1998-1999**

**I. TELECOMMUNICATIONS COORDINATION**

**A. SATELLITES**

- 1) Continue development and implementation of procedures to facilitate the coordination of earth stations in the 2, 4, 6 and 7-8 GHz bands in accordance with No. S9.15 of the International Telecommunication Union Radio Regulations.
- 2) Facilitate satellite network coordination in accordance with the International Telecommunication Union Radio Regulations and existing agreements between the Administrations.
- 3) Reach an understanding on the introduction and implementation of Digital Audio Radio Satellite service in the 2310-2360 MHz band.
- 4) Continue to exchange information on the regulation of Satellite News Gathering (SNG) transportable earth stations and conclude negotiations in order to sign a protocol for SNG cross border operation, as appropriate, on their proposed respective satellite systems, on a temporary basis.
- 5) In accordance with Article XIV-D of the INTELSAT Agreement, the two countries will enter into joint consultation, as appropriate, on their proposed respective satellite systems.

**B. BROADCASTING**

- 1) Interference Cases -
  - a) Continue efforts to resolve cases of harmful interference with a goal of eliminating harmful interference.
  - b) Continue to discuss technical criteria for the coordination of TV channel 6 with FM channels and proposals for handling such issues.

- 2) AM Radio -
  - a) Finalize verification of databases of AM stations in the 535-1605 KHz band.
  - b) Exchange information on the AM expansion band (1605-1705 KHz) in both countries.
- 3) Initiate discussions for development of a new UHF/VHF television agreement.
- 4) Exchange information and discuss the introduction of Terrestrial Digital Audio Broadcasting, for the purpose of establishing the basis for the signing of a Memorandum of Understanding enabling both Administrations to develop their services.
- 5) Exchange information related to technical standards and regulations with regard to competitive alternatives to conventional broadcasting including cable television, direct broadcasting satellite, and digital audio broadcasting.

#### **C. RADIOCOMMUNICATIONS**

- 1) Establish procedures for implementing cross border point-to-point microwave links.
- 2) Conclude an MOU concerning radio frequencies used for emergency purposes; cooperating to find replacement frequencies for assignments on the emergency frequencies.
- 3) Begin discussions on further revising the Agreement governing the 2500-2686 MHz band with the purpose of expanding the Agreement to cover two-way use and the 2686-2690 MHz band.
- 4) Initiate discussions concerning the possibility of establishing one or more protocols on the coordinated use of the following bands, recognizing the different service types in each country and, where applicable, the increased capacity which is the result of reduced channel spacing:
  - 138-144 MHz
  - 148-150 MHz
  - 150-162 MHz
  - 162-174 MHz
  - 380-400 MHz
  - 406.1-420 MHz
  - 450-470 MHz
- 5) Exchange information relative to the introduction of Local Multipoint Distribution

Services in each Country within the bands 27.5 - 31.3 GHz.

- 6) Exchange information relative to the introduction of new services and applications using frequency bands above 30 GHz.
- 7) Exchange information and explore how to address the use of non-licensed devices/systems including those using spread spectrum modulation techniques and considering cross-border telecommunications applications.
- 8) Continue the exchange of information and begin discussions on modern communications systems for land transportation (for example, "Intelligent Vehicle Highway Systems").

**D. EXCHANGE OF INFORMATION BY ELECTRONIC MEANS**

- 1) Continue the development of a common procedure for the electronic exchange of data between Mexico and the United States on a regular basis in support of agreements and protocols on coordination.
- 2) Begin to discuss and coordinate efforts to increase mutual access to information on telecommunications regulatory and policy matters through electronic networks such as the INTERNET.

**E. WORKING GROUP FOR THE PLANNING OF RADIO SPECTRUM**

Continue to hold meetings of the Working Group for the Planning of Radio Spectrum (WGPR) to discuss spectrum use and new services and technologies.

**II. MIXED COMMISSION**

Consider which decisions, among those adopted by the Mixed Commission, need to be formalized between both countries.

**III. INTERNATIONAL AFFAIRS**

**A. INTERNATIONAL TELECOMMUNICATION UNION ACTIVITIES**

- 1) Coordinate and share information for the 1999 International Telecommunication Union (ITU) Council meeting.
- 2) Coordinate and share information on preparations and contributions for the 1998 ITU

Plenipotentiary and the 2000 World Radiocommunication Conference.

- 3) Coordinate and share information on preparations and contributions for the focus group that was established by the 1998 World Telecommunications Policy Forum.

**B. CITEL, APEC and OECD**

- 1) Coordinate preparations and contributions for CITEL, APEC and OECD meetings including proposals regarding the expansion of telecommunication training programs in CITEL.
- 2) Discuss and coordinate efforts to encourage CITEL (in particular COM/CITEL) and APEC to better advance work being done in these organizations to strengthen competition and liberalization in markets in the Americas and the Asian-Pacific regions by promoting work on interconnection, universal service and mutual recognition agreements.

**C. SUMMIT OF THE AMERICAS**

Exchange views and coordinate efforts with regard to hemispheric implementation of telecommunications-related provisions of the Summit of the Americas Plan of Action, specifically the mandate that CITEL develop best practices guidelines on universal service and interconnection as well the development of a mutual recognition agreement.

**IV. EXCHANGE OF INFORMATION ON REGULATORY  
AND OTHER TELECOMMUNICATIONS ISSUES**

**A. INTERNATIONAL COMPETITION, INTERCONNECTION AND  
UNIVERSAL SERVICE**

Regulatory experts will regularly exchange views, information and plans for developing regulations that affect competition on the U.S.-Mexico route in order to promote pro-competitive interconnection, increased forms of resale, universal service, lower prices for consumers, prevent anti-competitive activities and finding solutions to bypass and other issues of mutual concern.

**B. GLOBAL INFORMATION INFRASTRUCTURE**

Continue discussions on bilateral cooperation in developing the Global Information Infrastructure. Discuss applications of telecommunications to education, health, the environment, interconnection of libraries, and global electronic commerce as well as other advanced services.



**C. OTHER EXCHANGES**

Continue to exchange information on other legislative, regulatory, and policy issues in telecommunications, trends in technology, licensing, and operational aspects of telecommunications services, including experimental authorization and news services.

Adopted at the High Level Telecommunications Authorities meeting, September 11, 1998, Washington D.C.